

5.4 No All Night Parking

No person shall allow, permit or suffer any vehicle registered in his/her name, other than one acting in an emergency, to be parked on any street for a period of time longer than one hour between the hours of 1:00 a.m. and 6:00 a.m.

5.4.1 Temporary Waivers

The Chief of Police or his/her designee may temporarily waive this regulation if a demonstrated "hardship" condition exists. The temporary waiver of this regulation shall meet the following criteria:

Temporary: A temporary waiver shall not exceed seven (7) calendar days and shall not be granted more than three (3) times per calendar year.

Hardship: A temporary waiver shall be limited to situations when it is impractical to park vehicles off the public roadway. Reasons may include, but are not limited to: a driveway being resurfaced; a need to park construction equipment that is being used in conjunction with work on the property in the driveway; and/or the lack of availability of off street parking to accommodate overnight guests.

Limitations: Temporary waivers shall be limited to those vehicles that cannot otherwise park off-street. Individuals receiving temporary waivers shall be required to park in front of their own property unless given permission by the Police Department to park elsewhere.

5.4.2 Annual Waivers

The Parking Committee (as established under Section 1-36 of these regulations) may, by permit, annually waive this requirement under guidelines developed by the Committee and approved by the Board of Selectmen. Annual permits shall be limited to those vehicles that cannot otherwise park off-street. Reasons may include, but are not limited to, lack of any driveway on the property, extraordinary topography that makes the use of the driveway dangerous, and/or lack of adequate off-street parking to accommodate a reasonable number of vehicles. The Board of Selectmen shall annually establish a fee for permits for annual waivers of the overnight parking ban.

The provisions of this section shall be enforced by the Needham Police Department.

Appeals:

Denials of permanent waivers by the Traffic Committee shall be forwarded to the Town Administrator's Office.

**Parking Committee Guidelines
Annual Waiver of Overnight Parking Ban
Adopted by the Board of Selectmen 9/9/03**

In accordance with Section 5.4.2 of the Traffic Rules and Regulations, the Parking Committee may, by permit, annually waive the overnight parking restriction under guidelines developed by the Committee and approved by the Board of Selectmen. In the implementation of these guidelines, it is the intent of the Board of Selectmen to minimize the number of annual waivers issued. Homeowners are expected to seek alternatives to annual waivers. The Board also expects that newly constructed homes will provide for adequate off-street parking.

1. Annual permits shall be limited to those vehicles that cannot otherwise park off the public roadway.
2. Annual permits may be granted due to the lack of any driveway on the property, extraordinary topography that makes the use of the driveway dangerous, lack of adequate off-street parking to accommodate a reasonable number of vehicles and/or any other extraordinary circumstance that makes it impossible or unsafe to park off the public roadway.
3. The Parking Committee will annually review and recommend to the Board of Selectmen a fee for permits for the annual waiver of the overnight parking ban.
4. Residents granted annual waiver permits must prominently display such permits when the vehicle is parked in the roadway all night. Failure to display a legitimately granted waiver will not be the basis for the appealing a parking ticket.
5. Annual waiver permits are not transferable between vehicles.
6. Except in extraordinary cases, only one annual waiver permit will be granted per property.
7. Commercial Vehicles shall not be eligible for annual waivers.
8. Between meetings of the Parking Committee, residents seeking annual permits may be granted temporary waivers by the Police Department in accordance with Section 5.4.1 of the Traffic Rules and Regulations.
9. Permit holders will be required to reapply for permits on an annual basis.
10. Annual waivers may be revoked for non-payment of fines to the Town.
11. Morningside Road residents of the hill section of the Road may park their cars in the street when the ground is covered with ice and or snow without obtaining a temporary or annual waiver.
12. Wachusett Road residents may park on the east side of the street when the ground is covered with ice and or snow without obtaining a temporary or annual waiver.